

AUG 27 2018

COPY

CLERK'S OFFICE
HENRICO CIRCUIT COURT

1 VIRGINIA:

2 IN THE CIRCUIT COURT FOR THE COUNTY OF HENRICO

3

4 -----:

5 COMMONWEALTH OF VIRGINIA, : Case Nos.:

6 Plaintiff, : CR17-3879-00F

7 vs. : CR17-3880-00M

8 :

9 MIKE MALCOLM WILLOUGHBY, :

10 Defendant. :

11 -----:

12

13

14 Transcript of the proceedings in
15 the above-styled matter, when heard on June 27, 2018 before
16 the Honorable James S. Yoffy, Judge.

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19

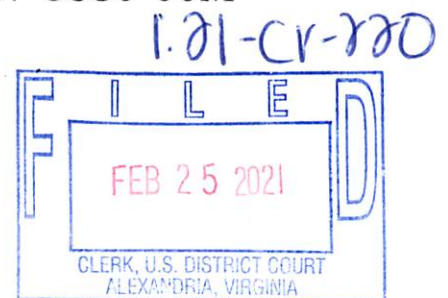
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RECEIVED
2021 FEB 19 P 3:40
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RICHMOND, VIRGINIA

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CRANE-SNEAD & ASSOCIATES, I
4914 Fitzhugh Avenue, Suite 203
Richmond, Virginia 23230
Tel. No. (804) 355-4335

PLAINTIFF'S EXHIBIT

RECEIVED

A

1 THE COURT: Yes, just scratch out Mental Health
2 and so successful completion of treatment with this particular
3 doctor to be monitored by probation. Put in there he's to take
4 all medication prescribed by this doctor.

5 MR. ABOUZAKI: Judge it now reads he shall follow
6 through with any and all recommendations made by his
7 probation officer and Dr. Abanjo Koduru. He must follow any
8 and all recommendations made by Dr. Koduru and take
9 medications as prescribed to be monitored by his probation
10 officer.

11 MR. JURACH: And Judge, the only thing that he
12 wants to make clear to the Court and your Honor is he's been
13 on his medications and certain medications for some time but
14 they're as needed medications.

15 THE COURT: If the doctor says as needed, that's
16 fine.

17 MR. JURACH: So he doesn't have to take, that's all.
18 He wanted to check. He just wanted to make sure he wasn't
19 being forced to take medications.

20 THE COURT: He has to take the medication as the
21 doctor has prescribed it.

22 MR. JURACH: Okay, perfect Judge.

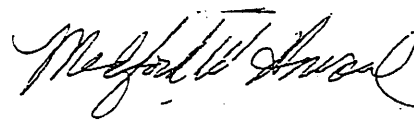
23 THE COURT: All right, getting back to the written
24 plea agreement then, you shall not be within a thousand feet of
25 the victim. You'll follow through with any and all

1 STATE OF VIRGINIA,
2 COUNTY OF HENRICO, to-wit:
3

4 I, MEDFORD W. HOWARD, Registered Professional
5 Reporter and Notary Public for the State of Virginia at large, do
6 hereby certify that I was the Court Reporter who transcribed
7 the recorded proceedings of **COMMONWEALTH OF VIRGINIA**
8 **v. MIKE MALCOLM WILLOUGHBY**, heard in the Circuit Court
9 for the County of Henrico. I have transcribed the recording
10 to the best of my ability to understand the proceedings
11 herein.

12 I further certify that the foregoing transcript, pages
13 numbered 1 through 19 is a true and accurate record of the
14 proceedings herein reported, to the best of my ability to
15 understand the audio recording.

16 Given under my hand this 23rd day of August, 2018.
17

18 
19

20 Medford W. Howard
21 Registered Professional Reporter
22 Notary Public for the State of Virginia at Large
23 Notary Registration Number: 224566
24

25 My Commission Expires: October 31, 2018.

VIRGINIA:
IN THE CIRCUIT COURT OF HENRICO COUNTY

COMMONWEALTH OF VIRGINIA
Plaintiff,

v.

Case Nos. CR17-3879-F
CR17-3880-M

MIKE MALCOLM WILLOUGHBY
Defendant.

DOB: 02/22/1985 SSN: 223-35-4674

PLEA AGREEMENT

This day came the Assistant Attorney for the Commonwealth and the Defendant, Mike Malcolm Willoughby, and his attorney, Adam Jurach, Esquire, all of whom represented to the Court that the parties have entered into the following plea agreement in accord with Rule 3A:8 of the Rules of the Virginia Supreme Court:

1. The Defendant will enter guilty pleas to the following Indictments:
 - a. CR17-3879-F: Maliciously Shooting into an Occupied Vehicle; and
 - b. CR17-3880-M: Assault and battery.
2. Defendant will be found guilty of both charges and sentenced as follows:
 - a. CR17-3879-F: 7 Years with the Virginia Department of Corrections with 4 Years and 3 Months suspended for ~~10~~ years; and
 - b. CR17-3880-M: 12 Months in Jail.
3. The remainder of the Defendant's sentence on indictment CR17-3879-F would be suspended on the following terms and conditions:
 - a. He shall keep the peace and be of good behavior.

PLAINTIFF'S EXHIBIT

B

- b. He shall be placed on indefinite supervised probation.
- c. He shall be banned from possessing a firearm.
- d. He will have no contact, direct or indirect, with the Victim, Shenelle Alston, or her family members.
- e. He shall not be within 1,000 feet of Victim's residence.
- f. He shall follow through with any and all recommendations made by his probation officer and ~~Heavice Mental Health~~ Dr. Banerjee Koduru. Must follow any and all recommendation made by Dr. Koduru and take medication as prescribed To be monitor by Probation officer.
4. The Defendant waives the presentation of evidence and agrees that the Commonwealth may summarize the evidence in this case.
5. The Defendant agrees not to ask the court to defer disposition or take under advisement any of the charges to which he has entered a guilty plea and been found guilty or agreed to be found guilty, or at any time ask the court to dismiss any of such charges, and specifically waives any right to do so. The Defendant agrees and fully understands that no charges to which he entered guilty plea will be deferred, or taken under advisement, or dismissed under the terms of this plea agreement.
6. Absent approval of the Commonwealth and upon entry of this agreement, the Defendant shall not petition the court for modification of sentence to the charge contained herein. Modification shall include, but not be limited to, any request for sentence reduction, alternative incarceration, Detention or Diversion Programs, work release or any combination thereof.

1 THE COURT: Yes, just scratch out Mental Health
2 and so successful completion of treatment with this particular
3 doctor to be monitored by probation. Put in there he's to take
4 all medication prescribed by this doctor.

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CRANE-SNEAD & ASSOCIATES, INC.

PLAINTIFF'S EXHIBIT

C

	Vehicle Model Year: 1998 Vehicle License Plate: VSM8450 Vehicle License State: VA Vehicle License Year: 17 Vehicle Make: LEXUS Vehicle Style: 4D Vehicle VIN: JT8BH28F6W0136341 Vehicle Features: Window Broken Property Color: Tan		Vehicle License Plate: VVS6265 Vehicle License State: VA Vehicle License Year: 18 Vehicle Make: SATURN Vehicle Model: Vue Vehicle Style: LL Vehicle VIN: 5GZCZ23D27S846768 Property Color: Drk Blue
3.Generic:	Current Status: Evidence Property Type: (5) - Money Description: US Currency Property Tag Number: 17063003103 Property Value: \$67.00 Generic Model Year: 0 Generic License Year: 0 Property Color: No Rpt	4.Article:	Current Status: Evidence Property Type: (99) - Other Article Description: Wallet with Mike Willoughby Va. ID Property Tag Number: 17063003104 Property Color: No Rpt
5.Article:	Current Status: Evidence Property Type: (22) - Cell Phones Smart Phones Description: Alcatel cell phone Property Tag Number: 17063003105 Article Brand: Alcatel Property Color: No Rpt	6.Weapon:	Current Status: Evidence Property Type: (8) - Simulated Gun Description: Crossman BB Gun Property Tag Number: 17063003106 Weapon Make: Crossman Weapon Model: C357 Weapon Caliber: 177m

ICR Narrative

I 2017/06/30 Walton, Brett E, PO, 1318, PW, DB, W

On 6/20/2017 at 0735 hours I responded to 4300 Nine Mile Road (Sunoco) for a shooting call for service. Upon arrival I observed a black female in the driver's seat of a gold Lexus vehicle holding the back of her head. I identified the female as Shenelle Alston (V1). Alston stated that she had been shot by Mike Willoughby (S1). I checked the back of Alston's head and saw a small laceration with minimal bleeding. I asked Alston where the shooting occurred and she stated that it occurred at 11 North Apartments near the pool but just south of the first entrance into the apartments on Kenway Avenue. I asked Alston what happened and she stated that she had gone to get her mail at the apartments where she used to live. Alston stated that as she was leaving the apartments traveling south on Kenway Avenue she observed a blue Saturn SUV front of her blocking her in. Alston stated that Mike's driver door was near her driver door and when he stopped she raised her hand and yelled at Mike what are you doing. Alston stated that Mike pulled out a gun and pointed it at her at which time she ducked her head. Alston stated that she heard two pops and with her head still ducked down she hit the gas to get away. Alston stated that she drove to the Sunoco and called police. Alston stated that Mike was actually driving his aunt's car because he doesn't own a car or have a license. Alston stated that Mike's aunt lives in New Kent and stated that Mike may be headed to her house. The SUV was found to be registered to a Gwendolyn Dabney who lives at 3011 Quaker Road in New Kent. A BOLO was given out for Mike and the Saturn SUV to Henrico, Richmond, and New Kent. Alston was transported to VCU Medical Center by Fire Medic 6. Detective Rosser responded out the VCU to interview Alston and take over the investigation. nothing further at this time

5816 - v.p.

I 2017/06/30 Walton, Brett E, PO, 1318, PW, DB, W

Saturn SUV placed in impound lot and entered in VCIN by Brush #9682 at 1245 hours

AM)

PLAINTIFF'S EXHIBIT 2

11/21/17

D

menter - ... -

She also felt like he went through her car the previous night. Ms. Alston stated he drives a 2003-2006 blue Saturn SUV. She also stated the he sometimes stays with his Aunt in Quinton.

Detective Carter called me while at MCV and asked if the victim was possibly shot with a pellet gun. He could not find any evidence a gun was used in the assault. I informed him I found the victim to be credible but her wound was very minor and a pellet gun assault was possible. I then drove to the scene and observed the very small defect in the dash of the victim's car. It was consistent with a pellet gun.

While on scene I was informed that patrol had already notified New Kent of the suspect's connection to the address in Quinton. Prior to leaving I was informed that Mr. Willoughby had been found at the 3011 Quaker Road address of his aunt. I asked that he be transported to PSB and his vehicle be towed to the impound lot. Detective Lahram transported Mr. Willoughby to PSB.

I interviewed Mr. Willoughby at PSB after reading him Miranda. The interview was recorded. A summary of the interview is below.

Subject is placed in interview room by Detective Lahram. Prior to my arrival and without my knowledge subject stated he was under arrest he wanted to go to jail if he was under arrest. He stated he didn't want to talk. I entered the room shortly after this and he asked if he was under arrest. I informed him that he was being detained and read Miranda. He asked if he didn't talk would he be placed under arrest. I told him it didn't work like that. He signed the waiver.

He stated he was basically homeless and stayed at the Super 8 last night. He stated he was at his uncle's this morning in New Kent. He had called him yesterday from someone else's phone. He told him to come over today and help him with some scrap metal. He denied going to 7 Gables this morning. He went straight to his uncle's house this morning after stopping at 7-11.

He stated he sent her a message on Facebook asking where she moved. He agreed that he is still driving the same blue Saturn SUV. He asked what happened. He is informed that she is stating that she was shot by him. He stated she tried to run him off the road previously. He is informed that witnesses put his vehicle in the area of the shooting this morning. I told him I'm trying to prove that it wasn't him and asked for his help. I asked if he had a cell phone. He again denied being in Seven Gables this morning. He stated there are a lot of cars like his.

He again denied going to Seven Gables this morning. I told him I don't know why she would make it up. He stated he did, it was because he was suing her for two millions dollars for trying to run him off the road. He stated his cell phone does not work. He stated the phone is in the truck. He called his uncle from a woman named Jean's phone. He is not working. He stated he has been disabled for along time due to schizophrenia. He stated she is prostituting herself and anyone could have done this to her.

His cell number is 502-8171. His service is with Safeline. It has been over two months since he made a call on the phone. He only texts on the phone. His uncle told him to be there between 9:30 and 10:00 am this morning. He thinks he texted him around 9:15 to say he was on the way.

He stated he doesn't have anything against her. He stated she is selling her pussy. He stated she doesn't have a job. She is dealing her pussy on Facebook. I informed him that I think this happened. I told him I thought he shot her with a pellet gun. He is informed I want to put the accurate charges on him, if it was a pellet gun. I told him it would be different for him and less serious if it was a pellet gun.

He asked what I could do if he writes a statement and confesses. I told him I wanted him to be honest about what he did. He asked what the charges would be. I told him I could work with him if he shot her with a bb gun. He asked what the charges would be. He asked if the assault would be a misdemeanor.

He stated before he got locked up she was fucking other people and they were ejaculating in her. He stated he was going down on her. He stated he shot her with a bb gun. He stated he was trying to scare her and shoot the window. He stated he was riding through and he saw her car. He stated he stopped and she stopped. He agrees they are side by side. He stated she said, "what's up?" He stated he said, "what's up?" and he tried to shoot the window.

He stated he bought the pellet gun and pellets from Walmart this morning on 360. He paid fifty-five dollars for the items with cash. He stated it should be on video. He agrees that he is pissed at her for having unprotected sex with other people

and he could have something. He thinks he shot once or twice. He then went to New Kent. He agreed he initially turned onto Nine Mile and turned again when he saw her behind him. He agreed to take me to where he threw the bb gun in Seven Gables.

He asked if I could tell her why he shot her and also stated, " I do love that bitch."

Mr. Willoughby then directed myself and Sergeant Fisher to the wood line behind 585 North Laburnum. He was allowed to exit the vehicle and walked us to an area just inside the woods and pointed to a small area of weeds. A pellet gun was recovered from this area almost immediately. He then directed me to the rear of the apartment building about 50 yards away. He stated the pellets were behind the AC unit. I then recovered box of pellets from behind the AC unit he led me to.

Mr. Willoughby was then transported to warrant service and charged with offenses related to the shooting of Ms. Alston. A protective order was also obtained.

On 6/30/17 the victim's vehicle was returned to her by Detective Downer.

Statements

Defendant Statements

Defendant Name: WILLOUGHBY, MIKE MALCOLM

Statement 1 of 1

When was statement made? After Miranda

Date/Time Miranda: 6/30/2017 10:20am

Who Read Miranda: Rosser, Matthew L. - (PO) Witnessed By:

Statement made to: Rosser, Matthew L. - (PO) Date/Time of Statement: 6/30/2017 10:20am

Record made of Statement: N/A How: Video

Media Description: File Name:

Interview Location Description: PSB Interview Witness:

Rights Waiver: N/A

Defendant Statement

See Case Contents. Video in Adams.

Victim Statements

None.

Witness/Suspect/Reporter Statements

None.

Involved Personnel Statements

Rosser, Matthew L, PO, 872, IV, HOM, W, ROS44

Walton, Brett E, PO, 1318, PW, DB, W, WAL48

Other Case Contents

None.

Social Security Administration
Retirement, Survivors and Disability Insurance
Important Information

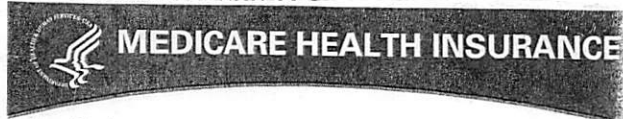
Office of Central Operations
1500 Woodlawn Drive
Baltimore, Maryland 21241-1500
Date: December 4, 2020
BNC#



0005078 00053817 1 AB 0.419 1127M1T2R7PN T203 P22



MIKE WILLOUGHBY
PO BOX 50464
HENRICO VA 23250-0464



Name/Nombre

MIKE M WILLOUGHBY

Medicare Number/Número de Medicare

6GY6-T83-HM57

Entitled to/Con derecho a

HOSPITAL (PART A)

MEDICAL (PART B)

Coverage starts/Cobertura empieza

03-01-2007

06-01-2020

We are writing to you about your Social Security benefits.

What You Should Know

We cannot pay you your regular monthly benefit at this time.

Your Medicare Part A (hospital insurance) starts March 2007 and Part B (medical insurance) starts June 2020.

The State of Virginia will pay your Medicare medical insurance premium beginning June 2020.

What We Will Pay And When

We pay Social Security benefits for a given month in the next month. For example, Social Security benefits for March are paid in April.

- You will receive \$381.00 for February 2021 around March 3, 2021.

Information About Medicare

If you have had any expenses that you believe should be covered by Medicare medical insurance, please contact your local Social Security office. The telephone number and address are shown below.

We will send you a new health insurance card. It will show that you are entitled to hospital and medical insurance.

You will get a Medicare card within 2 weeks. You should show this card when you need medical care. To learn more about what Medicare covers, visit Medicare.gov. If you have questions about your Medicare coverage, call 1-800-MEDICARE (1-800-633-4227).

PLAINTIFF'S EXHIBIT